



RCE # / IFW

PATENT  
ATTORNEY DOCKET NO.: 046124-5091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Takayuki SUZUKI et al. ) Confirmation No.: 2049  
 )  
Application No.: 09/977,287 ) Group Art Unit: 2878  
 )  
Filed: October 16, 2001 ) Examiner: Stephen K. Yam  
 )  
For: OPTICAL RECEIVER APPARATUS AND )  
HOLDING APPARATUS AND )  
ARRANGING METHOD THEREOF )

Mail Stop RCE  
Commissioner of Patents  
Arlington, VA 22202-3514

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_. (Any unentered amendment(s) referred to above will be entered).
  - ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
  - ☐ Other \_\_\_\_\_.
- ☒ Enclosed:
- ☒ Preliminary Amendment
  - ☐ Submission of Supplemental Declaration
  - ☐ Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
  - ☐ PTO-Form 1449 and one (1) reference
  - ☐ Other \_\_\_\_\_.

08/03/2004 WABDELK1 00000085 500310 09977287  
01 FC:1801 770.00 DA  
02 FC:1251 110.00 DA

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- ☐ Other \_\_\_\_\_

## 3. Fees Calculation

## (a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$770.00
- ☐ \$385.00 (for small entity)

## (b) Extension of Time

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	<b>\$ 110.00</b>	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

Extension of time fee due with this request: **\$ 110.00.**

If an additional extension of time is required, please consider this a Petition therefore.

- ☐ An extension for \_\_\_\_ months has already been secured and the fee paid therefore of \$\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

## (c) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	12	minus	20	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$86 each =	+ \$0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$290.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

The total fee for this submission: **\$880.00**

## 4. Fee Payment

- ☒ The Commissioner is hereby authorized to charge **\$880.00** (representing the RCE filing fee of \$770.00 and one-month extension of time fee of \$110.00) to our Deposit Account No. 50-0310.

## 5. Additional papers enclosed:

- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



John G. Smith  
Registration No. 33,818

Dated: July 30, 2004  
**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
 1111 Pennsylvania Avenue, NW  
 Washington, D.C. 20004  
 Telephone: (202) 739-3000  
 Facsimile: (202) 739-3001



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**Mail Stop RCE**  
Commissioner of Patents  
2011 South Clark Place  
Customer Window, Mail Stop RCE  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**PRELIMINARY AMENDMENT FILED WITH RCE UNDER 37 C.F.R. § 1.114**

Concurrently filed herein with a Request for Continued Examination and prior to continued examination, please amend the above-identified patent application as follows.